

NOTICE OF EMERGENCY RULE REPEAL AND PROMULGATION

AGENCY: Department of Marine Resources

STATUTORY AUTHORITY: 12 M.R.S.A. Sections 6172 and 6192

RULE REPEAL AND PROMULGATION: DMR Regulation 95.06 H, Closed Area No. 25-B, Pemaquid River, Pemaquid Harbor, Bristol, promulgated on September 20, 1990, is repealed and replaced with the following rule:

TEXT OF RULE: DMR Regulation 95.06 H, Closed Area No. 25-B, Pemaquid River, Bristol.

1. Effective immediately, because of pollution, it shall be unlawful to dig, take or possess any clams, quahogs, oysters and mussels from all shores, flats and waters of the Pemaquid River, Bristol, from its source to a line drawn from Fish Point to Thurston Point.

A. EXCEPTION: Effective immediately clams, quahogs, oysters and mussels may be taken from that portion of the Pemaquid River between the following two lines: (1) a line drawn from the southwestern end of the permanent pier at the Pemaquid Fisherman's Co-op easterly across the river to a red painted post located on the southern side of the mouth of Fossets Cove; and (2) a line drawn from a red painted post located on the western shore of the river (at a point just south of the mouth of Little Falls Brook) to a red painted post located on the nearest point of land on the eastern shore (about 0.5 miles southwest of where Route 130 crosses the river).

Violation of any provision of this regulation shall be a Class D Crime (12 M.R.S.A. 6204).

EFFECTIVE DATE: August 27, 1999

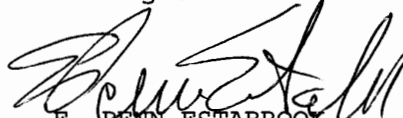
AGENCY CONTACT PERSON: Paul S. Anderson
Department of Marine Resources
McKown Point
West Boothbay Harbor, ME 04575

TIMES RECORD
September 2, 1999

STATEMENT OF FACT AND POLICY

The Commissioner of the Maine Department of Marine Resources repeals the emergency DMR Regulation 95.06 H, Closed Area No. 25-B, Pemaquid River, Bristol, promulgated on September 20, 1990, and replaces it with a new rule. This new rule clarifies the description of the boundaries of the closed area.

DMR personnel have determined that this administrative action will clarify the description of the closed area. The closed portions of this area remain so due to the presence of numerous licensed overboard discharges and intermittent microbiological which pose a threat to public health.


E. PENN ESTABROOK
Deputy Commissioner



Department of Marine Resources

Legal Notice of Shellfish Closure Area **C-25B**

Little Falls Brook

CLOSED

Route 130

OPEN

Pemaquid
Fisherman's Co-op

Fossetts Cove

Thurston Pt.

CLOSED

Fish Pt.

